

REMARKS

Claims 1 and 17 are revised in a further effort to define patentable subject matter over the applied art. Several dependent claims are revised to maintain antecedent bases with Claim 1, and Claim 14 is cancelled without prejudice. Claims 1-2, 4-11, 15-19, and 21-32 remain, with no claim previously allowed.

Claims 1-2, 4-11, 14-19, 21-26, and 28-32 are rejected as being unpatentable over *Schuster* (6,650,901) in view of *Urban* (6,233,329). The rejection acknowledges that *Schuster* does not disclose triggering a query from a network element associated with the called party and requesting the location of the calling party, as well as other elements of the method embodied in Claim 1. However, *Urban* is applied as teaching triggering a query from a network element associated with the called party and requesting the location of the calling party. The applicants respectfully traverse the rejection.

Schuster describes a system and method for providing data network telephones, namely, a VOIP phone, in a data network telephony system. That reference discusses the process of registering a VOIP phone in a data network, and also discusses using such a telephone for communication. Location information may be sent from the VOIP phone either as part of an audio message containing the location information (Column 21, Lines 6-7) or as a separate data communication channel 328b initiated by the VOIP telephone (Column 21, Lines 7-10).

Urban is not concerned with VOIP telephones and does not disclose any solution involving the use of a VOIP phone, especially one for delivering the geographic location of a calling party as embodied in Claim 1. Although *Urban* does mention providing the geographical area of the calling party in response to a query from the called party's service control point

(SCP) 42 (Column 4, Lines 7-10) those teachings are entirely in the context of a conventional switched telephone network.

The method embodied by Claim 1 comprises receiving a call transmitted from the caller's IP network to a called party. A network element associated with the called party triggers a query requesting the location of the caller. In response to receiving that call, a query requests the caller's geographic location information from an address database and that location information is returned to the called party on a circuit signaling network. That is, the method uses a circuit signaling network for returning the caller's location information, although the call was transmitted from the caller's IP network. The method embodied by amended Claim 1 is best understood with reference to Figure 2c of the present application.

The applicants respectfully submit that it would not have been obvious to one of ordinary skill to combine *Urban* with *Schuster* in the manner suggested by the rejection, to provide the method embodied by Claim 1. *Schuster* teaches applying a VOIP telephone in a data network telephony system, but *Urban* does not mention VOIP phones or transmitting a call from a caller's IP network wherein data associated with the call includes an IP address of the calling party. To the contrary, *Urban* discloses only telecommunications using a switched telephone network (Column 2, Lines 35-44) for connecting a calling party to a called party, shown in Fig. 1 of that reference. The applicants respectfully submit that one of ordinary skill, knowing of *Schuster* and *Urban* but lacking the present disclosure, would also have lacked the teachings necessary to combine those references in the manner disclosed herein and embodied in Claim 1. Accordingly, that claim and the claims depending therefrom are patentable over *Schuster* in view of *Urban*.

Independent Claim 17 recites a system embodying, in parallel terms, the elements and combination of elements discussed above with regard to Claim 1. Accordingly, the applicants respectfully submit that Claim 17 and the claims depending therefrom are likewise patentable over *Schuster* in view of *Urban*.

Claim 27 is rejected as unpatentable over *Schuster* and *Urban*, further in view of *Rayburn* (6,937,869). *Rayburn* is cited as teaching a network-based geographic location system as a Wireless Application Protocol system. However, Claim 27 includes all limitations of ultimate parent Claim 17 and, accordingly, is patentable over the basic combination of *Schuster* and *Urban* for the reasons discussed above. Accordingly, the applicants submit that Claim 27 is likewise patentable over the applied art.

The foregoing is submitted as a complete response to the Office action identified above. The applicants submit that the present application is in condition for allowance and solicit a notice to that effect.

Respectfully submitted,

MERCHANT & GOULD

Date: January 16, 2008

Merchant & Gould, LLC
P.O. Box 2903
Minneapolis, MN 55402-0903
Telephone: 404.954.5039

/Roger T. Frost/
Roger T. Frost
Reg. No. 22,176

